



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*86 Chambers Street  
New York, New York 10007*

September 28, 2016

By ECF

Honorable Edgardo Ramos  
United States District Judge  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: *Natural Resources Defense Council, Inc. v. United States Environmental  
Protection Agency and Gina McCarthy*, 16 Civ. 1251 (ER)

Dear Judge Ramos:

This Office represents the Defendants in the above-referenced matter. I write jointly with counsel for Plaintiff Natural Resources Defense Council (“NRDC”) to advise the Court that the parties have reached a tentative resolution in this case, subject to final approvals from those with authority in the Government.

We further write to advise the Court that, pursuant to the Scheduling Order dated September 19, 2016, Dkt. 25, the parties have consented to extend the deadline by which Plaintiff must file its motion for summary judgment on Claim 2 by one week, from October 5, 2016 to October 12, 2016, and to extend all other summary judgment briefing deadlines in paragraphs 1-4 of the Court’s Scheduling Order accordingly by one week.

Thank you for your consideration of this matter.

Respectfully submitted,

PREET BHARARA  
United States Attorney for the  
Southern District of New York

By: /s/ Emily E. Bretz  
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